Message Text

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ACTION IO-10
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E.O. 11652: N/A

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TO SECSTATE WASHDC 766 INFO AMEMBASSY SANTIAGO USMISSION USUN NEW YORK

SUBJECT: HUMAN RIGHTS COMMISSION-HUMAN RIGHTS IN CHILE

- 1. FOLLOWING IS THE LATEST REVISION OF THE DRAFT RESOLUTION ON HUMAN RIGHTS IN CHILE. PRINCIPAL CHANGE FROM TEXT TRANSMITTED REFTEL OCCURS FINAL PREAMBULAR PARAGRAPH BY INSERTION OF WORDS "ACCOUNTS OF." OPERATIVE PARAGRPAHS NOW PROVIDE FOR THREE-MAN OWRKING GROUP HEADED BY HRC CHAIRMAN.
- 2. REVISED TEXT TO BE SUBMITTED FOR DISTRIBUTION FEBURARY 19, CO-SPONSORED BY UK, NETHERLANDS, COSTA RICO AND NICARGUA. DEBATE ON ITEM NOT EXPECTED TO BEGIN BEFORE FEBURARY 24.
- 3. TEXT OF REVISED RESOLUTION FOLLOWS:

PROTECTION OF HUMAN RIGHTS IN CHILE

THE COMMISSION ON HUMAN RIGHTS LIMITED OFFICIAL USE

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NOTING THAT IN RESOLUTION 8 (XXVII) THE SUBCOMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINROTIES RECOMMENDED THAT THE COMMISSION STUDY THE REPORTED VIOLATIONS OF HUMAN RIGHTS IN CHILE, WITH PARTICULAR REFERENCE TO TORTURE, CRUEL AND INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT;

NOTING ALSO THAT THE GENERAL ASSEMBLY ENDORSED THIS RECOMMENDATION IN ITS RESOLUTION 3219 (XXIX);

RECOGNISING THE CO-OPERATION THAT THE GOVERNMENT OF CHILE HAS EXTENDED TO THE UNHCR, ILO, ICRC AND THE OAC IN THEIR REPECTIVE FIELDS OF COMPETENCE RELATING TO THE PROTECTION OF HUMAN RIGHTS IN CHILE:

NOTING THAT THE GOVERNMENT OF CHILE HAS ALLOWED REPRESENTATIVES OF NON-GOVERNMENTAL ORGANISATIONS TO ENTER THE COUNTRY TO INFORM THEMSELVES OF THE HUMAN RIGHTS SITUATION IN CHILE;

NOTING THAT CERTAIN DETAINEES HAVE RECENTLY BEEN RELEASED;

HAVING STUDIED THE INFORMATION AND REPORTS SUBMITTED BY INTER-GOVERNMENTAL AND NON-GOVERNMENTAL ORGANISATIONS ON TORTURE AND OTHER CRUEL, INHUMAN AND DEGRADING TREATMENT OR PUNISHMENT AS WELL AS OTHER SERIOUS VIOLATIONS OF HUMAN RIGHTS IN CHILE;

DEEPLY CONCERNED BY THE ACCOUNTS OF SERIOUS VIOLATIONS OF HUMAN RIGHTS WHICH WERE BROUGH TO THE NOTICE OF THE COMMISSION AND CONVINCED THAT THE ACTUAL HUMAN RIGHTS SITUATION IN CHILE NEEDS TO BE REVIEWED;

- 1) DECIDES THAT A THREE-AM WORKING GROUP, CHAIRED BY THE CHARIMAN OF THE COMMISSION ON HUMAN RIGHTS, SHALL ENQUIRE INTO THE PRESENT SITUATION OF HUMAN RIGHTS IN CHILE ON THE BASIS OF A VISIT TO THE COUNTRY AND OF ORAL AND WRITTEN EVIDENCE TO BE GATHERED FROM ALL RELEVANT SOURCES; THE MEMBERS OF THE GROUP WILL ACT IN THEIR PERSONAL CAPACITIES AS EXPERTS;
- 2) REQUESTS THE WORKING GROUP IN PARTICULAR TO INVESTIGATE THE CIRCUMSTANCES AND CONDITIONS IN WHICH PERSONS ARE HELD IN DETENTION;

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- 3) REQUESTS THE CHAIRMAN OF THE COMMISSION ON HUMAN RIGHTS TO SELECT THE ADDITIONAL MEMBERS OF THE GROUP FROM AMONG THE MEMBERSHIP OF THE COMMISSION ON HUMAN RIGHTS AND THE SUB-COMMISSION ON THE PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORTIES;
- 4) APPEALS TO THE GOVERNMENT OF CHILE TO EXTEND ITS FULL CO-OPERATION TO THE WORKING GROUP IN FULFILLING ITS TASK, INCLUDING TTHE GRANTING OF ALL NECESSARY FACILITIES AND COMPLETE FREEDOM OF

MOVEMENT IN THE COUNTRY FOR THIS PURPOSE;

5) REQUESTS THE GROUP TO REPORT THE RESULTS OF HIS ENQUIRIES TO THE COMMISSION ON HUMAN RIGHTS AT ITS 32ND SESSION AND TO SUBMIT A PROGRESS REPORT ON ITS FINDING TO THE SECRETARY-GENERAL FOR INCLUSION IN HIS REPORT TO THE 30TH SESSION OF THE GENERAL ASSEMBLY IN ACCORDANCE WITH GENERAL ASSEMBLY RESOLUTION 3219 (XXIX).

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